

Technical Update for Municipal Drinking Water Systems

Approval Requirements for Drinking Water Systems

Transition from Drinking Water Protection Regulations under OWRA to Drinking Water Systems Regulation under SDWA

The new Drinking-Water Systems Regulation (O. Reg. 170/03) made under the *Safe Drinking Water Act, 2002* (SDWA), replaced the requirements of Ontario Regulations 459/00 and 505/01 under the *Ontario Water Resources Act* (OWRA).

One of the elements of the new Regulation is that municipal non-residential systems (as defined in the Regulation), as well as non-municipal drinking water systems, will no longer require a ministry approval to be established, altered or operated. Instead, the owner is required to provide a statement by a qualified professional engineer, certifying that the engineer has conducted a site visit and the owner has the necessary equipment needed to meet the regulated minimum treatment requirements and to conduct the operational checks, sampling and testing in compliance with the regulatory requirements.

This Update provides guidance to owners of municipal drinking water systems regarding the status of their existing OWRA approvals, and in particular, existing approvals for their non-residential systems that no longer require approval to be established, altered or operated.

Status of existing s.52 OWRA approvals after the effective date of new Regulation

On June 1, 2003, the new Drinking Water Systems Regulation came into force. All existing Certificates

of Approval under s. 52 OWRA (for both municipal and non-municipal drinking water systems) continue to be in force. These Certificates of Approval, including any imposed deadlines for compliance with minimum treatment requirements, will remain in force until they are amended, replaced or revoked.

Depending on the category of the drinking water system, and the date of issuance of its existing approval, these replacements and revocations will take place as follows:

- The existing consolidated Certificates of Approval issued on the basis of the Engineers' Reports submitted under O. Reg. 459/00 for *municipal residential systems*, and all other existing Certificates of Approval for municipal residential systems will remain in force until such time that they are replaced either by new Certificates of Approval under the *Safe Drinking Water Act* or, when the appropriate parts of the Act are proclaimed to enable and require such replacements, by "drinking water works permits" and "municipal drinking water licences" under the Act.
- Every existing Certificate of Approval issued on or after August 1, 2000 for a *municipal non-residential system*, including any consolidated Certificates of

Approval issued on the basis of Engineers' Reports for such a system, will be revoked when the owner gives to the Director a statement under subsection 21-2(3) of O. Reg. 170/03. This statement by a qualified professional engineer must certify that the engineer has conducted a site visit and the owner is providing for the system all equipment necessary to meet the regulated minimum treatment requirements and to conduct the operational checks, sampling and testing in compliance with the regulatory requirements.

- Every existing Certificate of Approval issued before August 1, 2000 for a *municipal non-residential system* will be revoked when the owner gives to the Director a notice under section 21-7 of O. Reg. 170/03 (i.e., a notice of completion of an engineering

evaluation report for the system in accordance with section 21-5). This notice must include a copy of the report's required statement by the professional engineer who prepared the report, certifying that the engineer has conducted a site visit and the owner is providing for the system all equipment necessary to meet the regulated minimum treatment requirements and to conduct the operational checks, sampling and testing in compliance with the regulatory requirements.

For further information contact:

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